

Attorney's Docket No.: 07917-217001
Client's Ref. No.: UMMC 91-03A2

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Number of pages including this page 49

AUG 18 2004

Applicant : Robinson et al.
Serial No. : 08/187,879
Filed : January 27, 1994
Title : Immunization by Inoculation of DNA Transcription Unit

Art Unit : 1632
Examiner : Dave Trong Nguyen

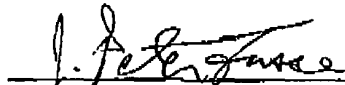
ATTN: DAVE TRONG NGUYEN, EXAMINER
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

Attached to this facsimile communication cover sheet is an information disclosure statement (IDS) filed in the above-referenced case on June 30, 2004, including the PTO Form 1449, references cited on the Form 1449, and the return receipt postcard filed with the IDS. As discussed with Examiner Nguyen on August 16, 2004, this IDS was mailed one day prior to the mailing of the notice of allowance in this case. According to PAIR, the IDS has not been received by the U.S.P.T.O., therefore we are resending it by fax. We request that the Examiner initial the attached Form 1449 and return it to the undersigned prior to the due date for payment of the issue fee. Please call Peter Fasse at 617-521-7802 or Margo Furman at 617-521-7827 with any questions.

Respectfully submitted,

Date: August 18, 2004

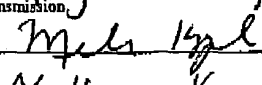

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Melissa Krugel
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Attorney's Docket No. 07917-217001	Express Mail Label No.	Mailing Date June 30, 2004	For PTO Use Only <i>Do Not Mark in This Area</i>
Application No. 08/187,879	Filing Date January 27, 1994	Attorney/Secretary Init JPF/MHF/ink	
Title of the Invention IMMUNIZATION BY INOCULATION OF DNA TRANSCRIPTION UNIT			
Applicant Robinson et al.			
Client Reference No. UMMC 91-03A2			
Enclosures ·Supplemental Information Disclosure Statement (1 page) ·Form PTO-1449 (1 page) ·Documents listed on the Form PTO-1449 (2 documents) ·Search Report issued in EP App. No. 01202355.2 (4 pages) ·Postcard			

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Attorney's Docket No.: 00917-217001 / LHM 091-03A2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robinson et al. Art Unit : 1633
Serial No. : 08/187,879 Examiner : D. Nguyen
Filed : January 27, 1994
Title : IMMUNIZATION BY INOCULATION OF DNA TRANSCRIPTION UNIT

Commissioner for Patents
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Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the attached form PTO-1449. A copy of a communication from a foreign patent office in a counterpart application is also enclosed.

This statement is being filed before receipt of a Notice of Allowance. Each item of information in this statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 07917-217001.

Respectfully submitted,

Date: 6-30-04

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Sheet 1 of 1

Substitute Form PTO-1449 (Modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No. 07917-217001	Application No. 08/187,879
	Applicant Robinson et al.			
	Filing Date January 27, 1994		Group Art Unit	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
	AL	WO 93/25235	23 December 1993				Yes	No
	AM							
	AN							
	AO							
	AP							

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	AQ	Haynes et al., "Gene-gun-mediated DNA Immunization Elicits Humoral, Cytotoxic, and Protective Immune Responses," Vaccines, 94:65-70 (1994)
	AR	
	AS	
	AT	

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



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Europäisches
Patentamt

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in Den Haag
Recherche-
abteilung

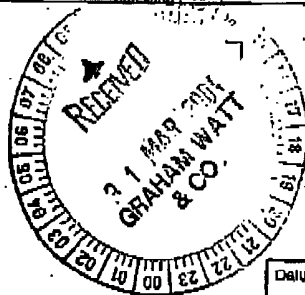
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Patent Office

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Département A
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Delim/Date

31.03.04

Zakchen/Ref./Fkt.

11962 Div.I

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°

01202355.2-1223-

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulare

UNIVERSITY OF MASSACHUSETTS MEDICAL CENTER, et al

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract

☒ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract:

NONE

REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent
Office

EUROPEAN SEARCH REPORT

Application Number
EP 01 20 2355

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (InCL7)
A	E. FYNAN ET AL.: "DNA vaccines: protective immunizations by parenteral, mucosal and gene-gun inoculations" PROC. NATL. ACAD. SCI. USA, vol. 90, 1993, pages 11478-11482, ✓ XP000572203 * the whole document *	1	C07K14/155 C07K14/16 C12N15/48 A61K39/21
A	WO 93 19183 A (UNIVERSITY OF MASSACHUSETTS MEDICAL CENTER) 30 September 1993 (1993-09-30) * the whole document *	1	
Y	G. NABEL ET AL.: "Direct gene transfer for immunotherapy and immunisation" TRENDS IN BIOTECHNOLOGY, vol. 11, 1993, pages 211-215, XP000389867 * the whole document *	7	
X	B. WANG ET AL.: "DNA inoculation induces neutralizing immune responses against HIV-1" DNA AND CELL BIOLOGY, vol. 12, no. 9, 1993, pages 799-805, XP000619595 * the whole document *	1-6,8-10	TECHNICAL FIELDS SEARCHED (InCL7) A61K C07K C12N
Y		7	
X	WO 93 25235 A (PRESIDENT AND FELLOWS OF HARVARD COLLEGE) 23 December 1993 (1993-12-23) * page 16, line 28 - page 17, line 13 *	1,8-10	
X	WO 93 17706 A (AGRACETUS, INC.) 16 September 1993 (1993-09-16) See especially page 11, line 32-page 12, line 3. * the whole document *	1-10	
-/--			
The present search report has been drawn up for all claims			
Place of search THE HAGUE		Date of completion of the search 16 March 2004	Examiner Skelly, J
CATEGORY OF CITED DOCUMENTS X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document		T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document	

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EPO FORM 1503 (3.12.92) (P.01)



European Patent
Office

EUROPEAN SEARCH REPORT

Application Number
EP 01 20 2355

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
P, X, O	J. HAYNES ET AL.: "Gene-gun-mediated DNA immunization elicits humoral, cytotoxic and protective immune responses" VACCINES (COLD SPRING HARBOUR), 1994, pages 65-70, XP000572510 * page 67, paragraph 4 - page 69, paragraph 1 *	1-10	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
The present search report has been drawn up for all claims			
Place of search THE HAGUE		Date of completion of the search 16 March 2004	Examiner Skelly, J
CATEGORY OF CITED DOCUMENTS		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date O : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			

2
EPO FORM 1504 (3.02) (P04001)

ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 01 20 2355

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on. The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

16-03-2004

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9319183	A	30-09-1993	US 5643578 A	01-07-1997
			CA 2132836 A1	30-09-1993
			EP 0633937 A1	18-01-1995
			JP 7507203 T	10-08-1995
			WO 9319183 A1	30-09-1993
			US 6165993 A	26-12-2000
			US 5620896 A	15-04-1997
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WO 9317706	A	16-09-1993	CA 2102918 A1	12-09-1993
			EP 0584348 A1	02-03-1994
			JP 6508153 T	14-09-1994
			WO 9317706 A1	16-09-1993

EPO FORM P0159

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82